



PATENT STL000005US1 0057.0004

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|   | IN THE UNITED STATES PATE | NT AND TRADEMARK OFFICE      | LUEIVER                              |
|---|---------------------------|------------------------------|--------------------------------------|
| In re Applicati<br>S.R. Lewallen<br>Serial No.:<br>Filed:<br>For: |                           | ) Examiner: Not Yet Assigned | OCT 1 6 2001<br>Chnology Center 2100 |
|   |                           |                              |                                      |

Assistant Commissioner of Patents Washington, D.C. 20231

## TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

## Dear Sirs:

In accordance with 37 CFR §§ 1.56, 1.97, and 1.98, enclosed please find Form PTO-1449 listing the attached references which might be deemed material to the examination of the above-identified application.

## A. Non-English Language References

| Enclosed is a search report for a counterpart application. The search report  |
|---|
| Examiner has provided comments on the relevancy of any non-English language   |
| references cited in the search report.  |
| The specification incorporates comments on the relevancy of Non-English       |
| language references.  |
| Set forth below are comments provided by the applicant's home country counsel |
| on the relevancy of non-English language references:                          |

| B. |        | The information disclosure statement submitted herewith is being filed   |
|----|--------|--|
|    | 1)     | within three months of the filing date of a national application other than a                                      |
|    |        | continued prosecution application under 1.53(d);   |
|    | 2)     | within three months of the date of entry into the national stage as set forth in                                   |
|    |        | 1.491 in an international application;   |
|    | 3)     | before the mailing date of a first Office Action on the merits; or   |
|    | 4)     | before the mailing date of a first Office Action after filing of a Request for                                     |
|    |        | Continued Examination under 1.114.   |
| C. |        | The information disclosure statement transmitted herewith is being filed after the                                 |
|    |        | period specified in paragraph B, but before the mailing date of a final action                                     |
|    |        | under 1.113, a Notice of Allowance under 1.311, or an action otherwise closing prosecution, and is accompanied by: |
|    | 1)     | a Statement under 1.97(e); or  |
|    | 2)     | a fee of \$180 as set forth in 1.17(p).  |
| D. |        | The information disclosure statement transmitted herewith is being filed after the                                 |
|    |        | period specified in paragraph C, but before payment of the issue fee, and is accompanied by:                       |
|    | 1)     | a Statement under 1.97(e); <u>and</u>  |
|    | 2)     | a fee of \$180 as set forth in 1.17(p).  |
|    |        | STATEMENT UNDER 1.97(e)  |
|    | I, the | person signing below, certify  |
|    |        | that each item of information contained in the information disclosure statement                                    |
|    |        | was first cited in any communication from a foreign patent office in a counterpart                                 |
|    |        | foreign application not more than three months prior to the filing of the  |
|    |        | statement. 37 C.F.R. §1.97(e)(1).  |
|    |        | that no item of information contained in the information disclosure statement was                                  |
|    |        | cited in a communication from a foreign patent office in a counterpart foreign                                     |

application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

If required under paragraph B or C *supra*, enclosed is Applicant's check in the amount of \$180 as set forth in 1.17(p). Please charge any insufficiency or credit any overpayment to Deposit Account No. 50-0585. A duplicate of this letter is enclosed for fee processing.

Dated: September 24. 2001

Respectfully submitted.

David W. Victor

Reg. No. 39,867 KONRAD RAYNES VICTOR & MANN LLP

315 S. Beverly Drive, Suite 210

Beverly Hills, CA 90212

(310) 556-7983

(310) 556-7984 (fax)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on September 28, 2001.

9/ **1**/01 (Date)

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